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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,179

01/19/2006

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9511

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01/22/2008

EXAMINER

BONZELL, PHILIP J

ART UNIT

PAPER NUMBER

4112

MAIL DATE

DELIVERY MODE

01/22/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/565,179	<b>Applicant(s)</b> NAGY, IMRE	
	<b>Examiner</b> PHILIP J. BONZELL	<b>Art Unit</b> 4112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: in #1 cause of the background of the invention, the word freezing is misspelled as frizzing.

Appropriate correction is required.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the external cargo attachments must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

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Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. Claim 7 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 7 recites the limitation "further comprising external cargo anchoring attachments". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #2428656 in view of US Patent #5823468 and US Patent #6328257.

a. For Claim 1, figure 1 of '656 teaches multiple inflatable chambers arranged in a multiple tubular cluster. US '656 teaches a tunnel underneath the chambers that run across the entire bottom of the airship. US '656 is silent about

the tunnel being centrally located though. However, figure 2 of '468 a tunnel (13) that is centrally located in the airship to protect the passengers and cargo.

Therefore it would have been obvious to someone of ordinary skill in the art at the time of the invention to modify '656 with the tunnel of '468 in order to create an area for passengers and cargo that is protected by the airship itself.

b. US '656 is silent about a front conical rigid cabin. US '468 teaches in figure 3 a conical rigid front cabin (17) that is attached to the tunnel (13) in order to have a front viewing area. Therefore it would have been obvious to someone of ordinary skill in the art at the time of the invention to modify '656 with the front cabin as taught in '468 in order to provide a front viewing area for passengers as well as pilots.

c. US '656 and '468 are silent about an aft conical cabin. However, US '257 teaches in figure 3, a series of cabins (P1) that extend from the front to the aft of the airship. Therefore it would have been obvious to someone of ordinary skill in the art at the time of the invention to modify '656 and '468 with the aft cabin of '257 in order to allow passengers and cargo to be held in the rear of the of the airship while being protected by the airship itself.

d. US '656 teaches in figure 11 multiple propulsion units. Column 4, lines 38-46 teach, "shafts 54 rotatably mounted in housings 60 which are adapted to be rotated by a worm 61 and worm gear 62 in order to change "the angular relation of the propeller shafts 52, so that the propellers 51 may be positioned in such relation to the airship as to propel it, as illustrated in Figures 2 and 11 or in

such relation thereto, as to assist in the ascent or descent thereof, as illustrated in Figures 12 and 13". While '656 is silent about the angle of rotation, it would be obvious to someone of ordinary skill in the art to rotate the propulsion system by 360 degrees.

e. For Claim 2, figure 7 of '656 teaches multiple longitudinal structures (31a).

f. For Claim 3, US '656 teaches the flow of "gases" but is silent about the specific use and movement of helium and air in the tubes of the airship. Column 9, line 26 teaches the use of "helium or hot air". The Examiner takes Official Notice that it is well known in the art that helium, hot air, air, or other gases can and are used in the lifting and attitude control of all airships and therefore it would have been obvious to someone of ordinary skill in the art to use both helium and air in the airship in order to control the buoyancy of the airship.

g. For Claim 6, figures 7 and 8 of '656 teaches a pumping mechanism and containers (41-43, and 49).

7. Claims 4, 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #2428656 in view of US Patent #5823468 and US Patent #6328257 as applied to claim 1 above, and further in view of US Patent #6010093.

h. For Claims 4 and 5, US '656, '468, and '257 are silent about a cabin containing an elevator that can be used for both personnel and cargo. However, figure 1 of '093 teaches a cabin (12) and an elevator (35). Therefore it would have been obvious to someone of ordinary skill in the art at the time of the

invention to modify '656, '468, and '257 with the elevator of '093 in order to create an airship that can transport passengers and cargo without landing.

i. For Claim 7, '656, '468, and '257 are silent about external cargo anchoring attachments. However, figure 1 of '093 teaches external cargo anchoring attachments that connect the airship (10) to the cargo (cabin 12). Therefore, it would have been obvious to someone of ordinary skill in the art to modify '656, '468, and '257 with the cargo anchoring attachments as taught in '093 in order to safely anchor cargo to the airships so that cargo is strongly secured to the airship and the airship itself protected from the weight of the cargo.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following is a list of that art: US Patent #1772229, US Patent #5538203, US Patent #5333817, US Patent #1673497, and US Patent #5906335.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHILIP J. BONZELL whose telephone number is (571)270-3663. The examiner can normally be reached on M-Th and alternate Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David V. Bruce can be reached on 571-272-2487. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. J. B./  
Examiner, Art Unit 4112

pjb

/David V Bruce/  
Supervisory Patent Examiner, Art Unit 4112